

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

MILAGROS FRANCO,

Plaintiff,

v.

380 SECOND LLC AND SMALL DOOR
GRAMERCY LLC,

Defendant.

Case No.: 1:22-cv-04011-(AS)(JW)

DECLARATION OF MILAGROS FRANCO

I, Milagros Franco, declare as follows:

1. I continue to live in Manhattan, about two blocks from the Small Door Veterinary practice located at 380 Second Avenue, New York, New York (“Small Door Vet”).
2. I still have my calico cat, Tammy, and I take her to the vet about every three months. I take her to the vet to have her nails clipped, ears cleaned and to have her required shots. I am unable to clip her nails at home.
3. I need a veterinary close to my home because I take my cat to the vet in a cat-carrying case and I hold her on my lap as we travel in my motorized wheelchair.
4. I was excited when I saw the buildout for Small Door Vet due to its proximity to my home.
5. Although there was a step to enter Small Door Vet, I still attempted to enter given the importance of its proximity of location to my home.
6. Although I was eventually able to enter Small Door Vet, the experience of entering the premises was humiliating and offensive.
7. I pass by 380 Second Avenue on a weekly basis as I go about my daily activities and until recently, always observed the step at the entrance to the Small Door Vet.
8. I am aware of the architectural barriers at Small Door Vet described in Exhibit B to the Declaration of Jonathan White.

9. The architectural barriers at Small Door Vet impair my ability to fully and equally enjoy its services when compared to the experience of an able-bodied person. The architectural barriers also deter me from utilizing the services of Small Door Vet.
10. It is difficult enough to be confined to a wheelchair for mobility but it is even worse to experience the embarrassment and shame from not being able to independently enter Small Door Vet and not being able to utilize its services as the able-bodied.
11. My goal in bringing this lawsuit is to make Small Door Vet accessible to individuals who use wheelchairs, to benefit myself and other disabled persons.
12. I was and remain very upset with the inaccessibility of Small Door Vet. I therefore desire to have Small Door Vet become fully accessible. I intend to utilize the services of Small Door Vet after it becomes fully accessible.

[Remainder of Page Intentionally Left Blank; Signature Page Immediately Follows]

I declare under the penalty of perjury under the laws of the United States of America and New York that the foregoing is true and correct to the best of my knowledge. Executed on February 2, 2023, at New York, New York.

Milagros Franco
Milagros Franco

[Signature]
Notary Public

ALEX NOSKOV
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01N06414260
Qualified in New York County
Commission Expires February 16, 2025 25